

TO: The Honorable Board of Supervisors

FROM: F. Craig Meadows, County Administrator  
L. Carol Edmonds, Assistant County Administrator

DATE: August 8, 2011

**SUBJECT: AGENDA REPORT**

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**I. CALL TO ORDER**

**II. INTO CLOSED MEETING**

BE IT RESOLVED, The Board of Supervisors hereby enters into Closed Meeting for the purpose of discussing the following:

Section 2.2-3711 (3) Discussion or Consideration of the Acquisition of Real Property for Public Purpose, or of the Disposition of Publicly Held Real Property, Where Discussion in an Open Meeting Would Adversely Affect the Bargaining Position or Negotiating Strategy of the Public Body

1. Old Blacksburg Middle School Property

(5) Discussion Concerning a Prospective Business or Industry or the Expansion of an Existing Business or Industry Where No Previous Announcement Has Been Made of the Business or Industry's Interest in Locating or Expanding Its Facilities in the Community.

1. Project # 2011-022

**III. OUT OF CLOSED MEETING**

BE IT RESOLVED, The Board of Supervisors ends their Closed Meeting to return to Regular Session.

#### **IV. CERTIFICATION OF CLOSED MEETING**

WHEREAS, The Board of Supervisors of Montgomery County has convened a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711 of the Code of Virginia requires a certification by the Board that such Closed Meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby certifies that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion conveying the closed meeting were heard, discussed or considered by the Board.

VOTE

AYES

NAYS

ABSENT DURING VOTE

ABSENT DURING MEETING

#### **V. INVOCATION**

#### **VI. PLEDGE OF ALLEGIANCE**

#### **VII. DELEGATION**

**A. SUBJECT: AGENDA 21**

**Agenda 21**

Chair Politis requested a presentation from Chip Tarbutton on this issue.

See TAB A.

**B. SUBJECT: VIRGINIA DEPARTMENT OF  
TRANSPORTATION**

**Virginia Department of Transportation**

David Clarke, VDOT Maintenance Manager, will update the Board of Supervisors on road issues/concerns in Montgomery County.

**C. SUBJECT: VIRGINIA COOPERATIVE EXTENSION**

**Virginia Cooperative Extension – Quarterly Report for Montgomery County**

Michelle Dickerson, Extension Agent, will provide an update on the Extension programs in Montgomery County. See TAB B.

**VIII. PUBLIC ADDRESS**

**IX. ADDENDUM**

**X. CONSENT AGENDA**

**XI. OLD BUSINESS**

**A. SUBJECT: REZONING - BILLY & RUTH MASSIE**

**ORD-FY-12-**

**AN ORDINANCE AMENDING THE ZONING CLASSIFICATION OF  
APPROXIMATELY 2.4 ACRES FROM AGRICULTURAL (A1) TO PLANNED  
MOBILE HOME RESIDENTIAL PARK (PMR),  
LOCATED AT 232 COAL HOLLOW ROAD AND 2720 PEPPERS FERRY ROAD,  
IDENTIFIED AS TAX PARCEL NOS. 64-A-165, 64-A-169, 64-A-171, 64-A-172, 64-A-173,  
64-A-176, 64-A-181 & 64-A-185C, ACCOUNT NUMBERS 018494, 013076, 005101,  
017988, 001934, 011982, 011977, 033492  
BILLY AND RUTH MASSIE**

BE IT ORDAINED, By the Board of Supervisors of Montgomery County, Virginia that it hereby finds that the proposed rezoning, is in compliance with the Comprehensive Plan and meets the requirement for public necessity, convenience, general welfare and good zoning practice and therefore approves the request to rezone approximately 2.4 acres from Agriculture (A1) to Planned Mobile Home Residential Park (PMR), to allow expansion of the existing Massie's Mobile Home Park.

The subject parcels are located at 232 Coal Hollow Road and 2720 Peppers Ferry Road and identified as tax parcel nos. 64-A-165, 64-A-169, 64-A-171, 64-A-172, 64-A-173, 64-A-176, 64-A-181 & 64-A-185C, account numbers 018494, 013076, 005101, 017988, 001934, 011982, 011977, 033492 in the Riner Magisterial District (District E).

The property currently lies in an area designated as Village Expansion in the 2025 Comprehensive Plan and further described as High Density Residential within the Belview Village Plan.

This action was commenced upon the application of Billy D. and Ruth G. Massie.

This ordinance shall take effect upon adoption.

ISSUE/PURPOSE: Rezone 2.4 acres from Agriculture (A1) to Planned Mobile Home Residential Park (PMR), to allow expansion of the existing Massie's Mobile Home Park.

JUSTIFICATION: At their July 13, 2011 meeting, the Planning Commission recommended approval. See TAB D.

**B. SUBJECT: SPECIAL USE PERMIT AMENDMENT  
BILLY & RUTH MASSIE**

**R-FY-12-  
SPECIAL USE PERMIT  
BILLY D. & RUTH G. MASSIE  
FOR THE PURPOSE OF ALLOWING  
AN AMENDMENT TO A SPECIAL USE PERMIT  
FOR A TEN (10) UNIT EXPANSION OF THE  
EXISTING MASSIE'S MOBILE HOME PARK  
IN A PLANNED MOBILE HOME RESIDENTIAL PARK (PMR) DISTRICT  
IN THE RINER MAGISTERIAL DISTRICT (DISTRICT E)  
PARCEL ID NUMBERS 018494, 013076, 005101, 017988, 001934, 011982,  
011977, 033492), TAX MAP NUMBERS 64-A-165, 64-A-169, 64-A-171, 64-A-  
172, 64-A-173, 64-A-176, 64-A-181 & 64-A-185C**

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the request by Billy D. and Ruth G. Massie for a Special Use Permit (SUP) on approximately 45.307 acres in a Planned Mobile Home Residential Park (PMR) zoning district to allow a ten (10) unit expansion of the existing Massie's Mobile Home Park for a total of 174 units is found to be consistent with the

County's Comprehensive Plan and is hereby approved with the following conditions:

1. This Special Use Permit (SUP) authorizes expansion of Massie's Mobile Home Park to a maximum of 174 units on 45.307 acres, based upon the PMR Concept Plan for Massie's Mobile Home Park, Revised June 9, 2011, prepared by Highland Surveys P.C.
2. A boundary line adjustment plat shall be submitted and approved vacating the interior parcel lines as indicated on the PMR Concept Plan for Massie's Mobile Home Park, Revised June 9, 2011, prepared by Highland Surveys P.C., prior to approval of the final development plan by the Zoning Administrator.
3. Final development plans shall be approved by the Zoning Administrator prior to the issuance of any building permits for installation of manufactured home on new spaces.
4. Final development plans shall include any improvements requested by Montgomery County Public Schools Transportation Department for the school bus loading areas.
5. Fire hydrants shall be installed throughout the entire park so that no manufactured home space will be more than 500 feet by road from a hydrant, subject to engineering constraints. Hydrant locations (existing and proposed) shall be noted on final development plans.
6. If required, an erosion and sediment control plan shall be submitted to the County Engineer for approval prior to any excavation.
7. New access roads shall be surfaced in conformance with County Code Section 10-36, Planned Mobile Home Residential Park, prior to the installation of any manufactured homes served by those roads.
8. A landscaping and buffering plan for the areas indicated on the PMR Concept Plan for Massie's Mobile Home Park, Revised June 9, 2011, prepared by Highland Surveys P.C., including a variety of plant species, shall be approved by the Zoning Administrator as part of the final development plans for the expansion.
9. New street names and addresses for all units in the mobile home park shall be assigned by the County's E-911 Coordinator. New street signs and 911 address markers for all units shall be purchased and installed by the property owner. Installation shall be completed within sixty (60) days of receipt of signs from the County. All address and street changes shall be coordinated with Montgomery County, U. S. Post Office and Verizon.
10. A total of three stop signs shall be purchased and installed by the owner where Coal Hollow Rd. (Rt. 705) intersects Mass Circle and Tunnel Circle, and where Peppers Ferry Rd. (Rt. 114) intersects Mass Circle. Signs shall be

installed outside the VDOT right-of-way unless approval is granted by VDOT otherwise.

The properties are located at 232 Coal Hollow Road and 2720 Peppers Ferry Road and identified as Tax Parcel Nos. 64-A-165, 64-A-169, 64-A-171, 64-A-172, 64-A-173, 64-A-176, 64-A-181 & 64-A-185C; Parcel ID #'s 018494, 013076, 005101, 017988, 001934, 011982, 011977, 033492) in the Riner Magisterial District (District E). The property currently lies in an area designated as Village Expansion in the 2025 Comprehensive Plan and further described as High Density Residential within the Belview Village Plan.

ISSUE/PURPOSE: Special Use Permit (SUP) Amendment on approximately 45.307 acres in a Planned Mobile Home Residential Park (PMR) zoning district to allow a ten (10) unit expansion of the existing Massie's Mobile Home Park for a total of 174 units.

JUSTIFICATION: At their July 13, 2011 meeting, the Planning Commission recommended approval. See TAB D.

## **XII. NEW BUSINESS**

**A. SUBJECT: A RESOLUTION APPROVING THE CAPITAL FINANCING PLAN FOR THE CONSTRUCTION OF THE NEW BLACKSBURG AND AUBURN HIGH SCHOOLS AND THE RENOVATION OF THE AUBURN MIDDLE SCHOOL**

### **R-FY-12- A RESOLUTION APPROVING THE CAPITAL FINANCING PLAN FOR THE CONSTRUCTION OF THE NEW BLACKSBURG AND AUBURN HIGH SCHOOLS AND RENOVATION OF THE AUBURN MIDDLE SCHOOL**

WHEREAS, The Montgomery County School Board ("the School Board") desires to design and construct a new Blacksburg High School and a new Auburn High School, and renovate the existing Auburn High School for use as Auburn Middle School ("School Projects"); and

WHEREAS On November 22, 2010, the Board of Supervisors adopted a resolution supporting the replacement of the Auburn High School and the Blacksburg High School, and the renovation of the existing Auburn High School for use as Auburn Middle School, subject to the following stipulations:

1. Since the planning and design phase for Auburn High School has already started, the Board of Supervisors supports the School Board moving forward immediately with finalizing the design process for the new Auburn High School so that the Auburn High School project may be ready for construction as quickly as possible.
2. The Board of Supervisors supports the School Board applying for Qualified School Construction Bond (“QSCB”) non-interest funding from the Commonwealth of Virginia to be used as a funding source for any or all of the school projects listed above.
3. The Board of Supervisors supports the School Board beginning the design process as soon as possible for a new Blacksburg High School.
4. The start of construction of the proposed School Projects shall be contingent upon the following:
  - (a) The Town of Blacksburg expressing their support for a mixed use development on the old Blacksburg Middle School (“OBMS”) site so that the money realized from the sale of the OBMS site may be used as a funding source for the proposed school capital projects.
  - (b) The School Board agreeing to surplus the Blacksburg High School site on Patrick Henry Drive to the County so that the County may sell the property and use the proceeds from the sale as a funding source for the proposed school capital projects.
  - (c) The Town of Blacksburg expressing their willingness and support to work with the County on the redevelopment of the Blacksburg High School site on Patrick Henry Drive so that the proceeds realized from the sale of the Blacksburg High School site may be used as a funding source for the proposed school capital projects.
5. The School Board agreeing to express their willingness and support to surplus the Elliston-Lafayette Elementary, Price’s Fork Elementary and Shawsville Elementary School properties when these properties are no longer needed for educational purposes so that the proceeds from the future sale of these properties may be used as a funding source for the Auburn High School, the Blacksburg High School and/or the Auburn Middle School projects.

6. The School Board agrees to use the insurance proceeds for the Blacksburg High School project and to use the leftover bond proceeds from the Price's Fork and Eastern Montgomery Elementary School projects as a funding source for the Auburn High School, Blacksburg High School and/or Auburn Middle School projects.
7. The County Administrator, working with County staff, the County's financial advisors, and the Board of Supervisors, shall develop a capital funding plan for the School Projects. The capital funding plan shall include the insurance proceeds from the School Board for the collapsed Blacksburg High School gymnasium, proceeds from the sale of surplus school properties (to include OBMS Blacksburg High School, Elliston-Lafayette Elementary School, Shawsville Elementary School and old Price's Fork Elementary School), the surplus bond money from the Price's Fork and Eastern Montgomery Elementary school projects, and the issuance of future debt to provide for the remaining proceeds needed to fund the proposed School Projects. The Board of Supervisors desires that any future debt issuances to pay for these proposed School Projects be structured in such a way to allow for incremental tax increases over a four to five year period with no projected property tax increase needed to fund these three capital projects until fiscal year FY 2013; and

WHEREAS, the following actions regarding these stipulations have been accomplished:

1. \$15 million in QSCB non-interest funding from the Commonwealth of Virginia was awarded for the Blacksburg High School Project,
2. The Town of Blacksburg and Montgomery County adopted a Master Plan for mixed use development on the old BMS site,
3. The School Board by resolution dated April 26, 2011 declared it intent to surplus the Elliston-Lafayette Elementary, Price's Fork Elementary and Blacksburg High School properties when these properties are no longer needed for educational purposes and to use the funds from the sale of these properties for the School Projects.
4. Funds remaining from the surplus bond proceeds from the two elementary school projects and the remaining proceeds from the insurance recovery for the Blacksburg High School gym are included in the financing plan of the School Projects; and



WHEREAS, On July 11, 2011, the Board of Supervisors passed a resolution that authorized the School Board to enter into a Comprehensive Agreement under the provisions of Public-Private Education Facilities and Infrastructure Act of 2002, ("The PPEA") with Branch & Associates, Inc., for the development of the School Projects; and

WHEREAS, On July 22, 2011, the County's Financial Advisor, Davenport LLC, presented the Board of Supervisors a proposed Financing Plan for \$124.5 million to fund the School Projects; and

WHEREAS, The proposed Financing Plan includes the use of an estimated \$12.1 million of funds on hand from the remaining insurance proceeds from the BHS gym collapse and remaining bond proceeds from the two elementary school projects, with the balance from a combination of \$15 million in QSCB funding from the Commonwealth of Virginia, and a County issuance of new bonds in the fall of 2011 ("the Financing Plan"); and

WHEREAS, The Financing Plan proposes to issue new bonds (in addition to the QSCB bonds) through the Virginia Public School Authority (VPSA) in an amount not to exceed \$100 million to include an estimated \$98 million in proceeds for project costs and estimated \$2 million in issuance costs; and

WHEREAS, Should VPSA not be an available option, the Financing Plan proposes an alternative which is an issuance of lease-revenue bonds (in addition to the QSCB bonds) through the Montgomery County Economic Development Authority in an amount not to exceed \$110 million to include an estimated \$98 million in proceeds for project costs and estimated \$2 million in issuance costs and a required debt reserve estimated at \$10 million, which would be used to pay the final payments under the loan.

***NOW THEREFORE BE IT RESOLVED*** By the Board of Supervisors of the County of Montgomery, Virginia, that the Board of Supervisors hereby approves the Financing Plan for the School Projects and authorizes the County Administrator to proceed with the process to participate in a bond sale through the Virginia Public School Authority, or if not available, through the Montgomery County Economic Development Authority in the fall of 2011; and

***FURTHER, BE IT RESOLVED***, By the Board of Supervisors of County of Montgomery, Virginia, that the Board of Supervisors hereby agrees to generate the necessary resources to pay the annual debt service cost through an increase in the real estate tax rate estimated at 10 cents in Fiscal Year 2012-2013; and that funds obtained from the future sale of school surplus properties, after sale expenses are deducted, are to be used to offset debt service costs of the School Projects; and

***FURTHER, BE IT RESOLVED***, By the Board of Supervisors of the County of Montgomery, Virginia, that the Board of Supervisors hereby authorizes staff to schedule the required public hearing for Monday, September 12, 2011, at 7:15 p.m. or as soon thereafter in the Board of Supervisors Chambers in the Montgomery County Government Center, located at 755 Roanoke Street, Christiansburg, Virginia, in order to hear citizen comments on the Board of Supervisors' intention to authorize the issuance of the bonds for the School Projects.

ISSUE/PURPOSE: Authorization to proceed with the School Capital Projects Financing Plan.

JUSTIFICATION: This resolution authorizes the County Administrator to begin the process for implementing the Financing Plan to fund the School Capital Projects, including a new Blacksburg High School, a new Auburn High School, and a renovation of the old Auburn High School for a middle school.

The Financing Plan includes the issuance of \$15 million in QSCB bonds and the issuance of an estimated \$100 million in new bonds through the Virginia Public School Authority (VPSA). Should VPSA not be available, the Financing Plan provides for an issuance of lease revenue bonds through the Economic Development Authority. If lease revenue bonds are issued, a debt reserve will be required in an amount estimated at \$10 million which will be used to make a final debt service payment.

The County's Financial Advisor, Davenport and Co. will be available to address questions. TAB **E** includes information regarding the estimated amounts of the bond issue.

**B. SUBJECT: RESOLUTION OF COMMEMORATION-  
THOMAS E. HEAVENER**

**R-FY-12-  
RESOLUTION OF COMMEMORATION  
THOMAS E. HEAVENER**

**WHEREAS,** The recent death of *Thomas E. Heavener* has touched and saddened all those who knew and loved him; and

**WHEREAS,** *Thomas E. Heavener* served on the Board of Zoning Appeals (BZA) from May 28, 1996 through June 30, 2011; and

**WHEREAS,** *Thomas E. Heavener* served as Chairman of the BZA from 1998 through 2006; and

**WHEREAS,** *Thomas E. Heavener* will be greatly missed by those who knew and loved him.

**NOW, THEREFORE, BE IT RESOLVED,** The Board of Supervisors of Montgomery County, Virginia does hereby express its deepest condolences and most heartfelt sympathy to the many friends and loved ones of *Thomas E. Heavener*.

**BE IT FURTHER RESOLVED,** That the original of this resolution be presented to the family of *Thomas E. Heavener* and that a copy be made a part of the official minutes of Montgomery County, that his memory may be so honored.

ISSUE/PURPOSE: Adopt a resolution in commemoration of  
Thomas E. Heavener.

**XIII. COUNTY ATTORNEY'S REPORT**

**XIV. COUNTY ADMINISTRATOR'S REPORT**

**XV. BOARD MEMBERS' REPORTS**

1. Supervisor Muffo
2. Supervisor Creed

3. Supervisor Perkins
4. Supervisor Brown
5. Supervisor Biggs
6. Supervisor Marrs
7. Supervisor Politis

## **XVI. OTHER BUSINESS**

## **XVII. ADJOURNMENT**

### **FUTURE MEETINGS**

Adjourned Meeting  
Monday, August 22, 2011  
6:00 p.m. Closed Meeting  
7:15 p.m. Regular Meeting

Special Joint Meeting  
with the Towns of Blacksburg and Christiansburg  
Elliston Volunteer Fire Department  
Monday, August 29, 2011  
6:00 p.m.

Regular Meeting  
Monday, September 12, 2011  
6:00 p.m. Closed Meeting  
7:15 p.m. Regular Meeting